

Senate Resolution No. 46

Introduced by Senators Beall, Lieu, and Liu

Relative to Hong Yen Chang

WHEREAS, Hong Yen Chang, reportedly the first Chinese immigrant to earn a law degree in the United States and the first to be licensed to practice law in any state, was denied entry to the State Bar of California because of discriminatory state and federal laws; and

WHEREAS, In 1872, 13-year-old Hong Yen Chang arrived in the United States as part of the Chinese Educational Mission, a program designed to teach Chinese youth about Western culture; and

WHEREAS, Mr. Chang attended Hartford Public High School in Connecticut and then the exclusive Phillips Academy in Andover, Massachusetts, and after graduating in 1879, Mr. Chang attended Yale College (now Yale University); and

WHEREAS, When the Chinese government canceled the Chinese Educational Mission in 1881, Mr. Chang was forced to suspend his studies at Yale and return to China but nevertheless, Mr. Chang returned to the United States, enrolled in Columbia Law School where he graduated in 1886, and reportedly became the first Chinese lawyer educated in the United States; and

WHEREAS, After graduating from Columbia Law School, Mr. Chang applied for admission to the New York State Bar Association where Mr. Chang received high marks from the bar examiners; and

WHEREAS, The New York Supreme Court rejected his application on the ground that he was not a citizen. Undeterred, Mr. Chang reapplied for admission and was successful; and

WHEREAS, In 1887, the New York Court of Common Pleas issued him a naturalization certificate, and the state legislature enacted a law permitting him to reapply to the bar and upon his admission, Mr. Chang became the only regularly admitted Chinese lawyer in the United States; and

WHEREAS, After his admittance to the New York State Bar Association, Mr. Chang applied to the State Bar of California but the

California Supreme Court denied his admission in the unanimous published decision *In re Hong Yen Chang*, 84 Cal. 163 (1890); and

WHEREAS, The California Supreme Court held that Mr. Chang's naturalization certificate was void and that, as a noncitizen, he was ineligible for bar membership, despite Mr. Chang otherwise satisfying the requirements for bar admission; and

WHEREAS, Because federal law barred Chinese immigrants from naturalizing, Mr. Chang could not become a citizen and was thus ineligible to practice law in California; and

WHEREAS, Mr. Chang's case came in an era of widespread discrimination against people of Chinese ancestry and at a time when the Chinese Exclusion Act, enacted by Congress in 1882, banned Chinese immigration for 10 years and made Chinese residents ineligible to naturalize; and

WHEREAS, Congress extended the Chinese Exclusion Act on a number of occasions and the California Constitution in 1879 dedicated an entire article to restricting the rights of Chinese residents; and

WHEREAS, Notwithstanding the discrimination he faced, Mr. Chang went on to lead a distinguished career in banking and diplomacy; now, therefore, be it

Resolved by the Senate of the State of California, That the Senate calls for Mr. Hong Yen Chang's admittance to the State Bar of California posthumously to remedy the injustice he suffered and to send a powerful message about the legal profession's commitment to justice, diversity, and inclusion; and be it further

Resolved, That the Secretary of the Senate transmit copies of this resolution to the author for appropriate distribution.

Senate Resolution No. 46 read and adopted by the Senate May 27, 2014.

Attest: _____
Secretary of the Senate